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7 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN JOSE DIVISION

12 SHIA ASSOCIATION OF THE BAY AREA, INC.,	)	No. C 06-5515 JW(PVT)
13	)	
14 Plaintiff,	)	
15 v.	)	JOINT STIPULATION TO VACATE
16 MICHAEL CHERTOFF, Secretary of the	)	DATES; AND [ <del>PROPOSED</del> ] ORDER
17 Department of Homeland Security; <i>et al.</i> ,	)	
18 Defendants.	)	

18 On December 5, 2006, Plaintiff filed a motion for preliminary injunction, requesting that  
 19 Defendants adjudicate Plaintiff's Form I-360 Petition for Special Immigrant with the United States  
 20 Citizenship and Immigration Services ("USCIS") on behalf of beneficiary Dr. Nabi Riza Mir by  
 21 December 21, 2006. The parties also stipulated to an expedited briefing schedule and a hearing on  
 22 the motion for preliminary injunction on December 11, 2006, at 9:00a.m.

23 Defendants agree to adjudicate Plaintiff's Form I-360 application by December 29, 2006.  
 24 Therefore, the parties agree to vacate the December 11, 2006 hearing on the preliminary  
 25 injunction. The parties further agree to vacate the January 8, 2007 hearing for Defendants' motion  
 26 for summary judgment and suspend briefing and agree to inform the Court by January 2, 2007, as  
 27 to whether the parties will stipulate to dismiss this case or take further action.  
 28

Stipulation to Vacate Dates  
 C06-5515 JW

1  
2 Dated: December 7, 2006

/s/  
\_\_\_\_\_  
Ila C. Deiss  
Assistant United States Attorney  
Attorney for Defendants

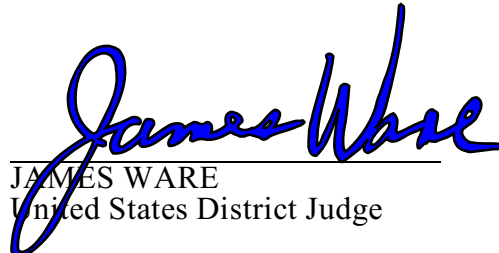
3  
4  
5 Dated: December 7, 2006

/s/  
\_\_\_\_\_  
Zaheer Zaidi  
Attorney for Plaintiff

6  
7  
8  
9  
10 **ORDER**

11 **IT IS SO ORDERED.**

12  
13 Dated: 12/8/2006

14   
\_\_\_\_\_  
JAMES WARE  
United States District Judge